

RENTON CITY COUNCIL
Regular Meeting

March 15, 1999
Monday, 7:30 p.m.

Council Chambers
Municipal Building

MINUTES

CALL TO ORDER

Mayor Jesse Tanner led the Pledge of Allegiance to the flag and called the meeting of the Renton City Council to order.

**ROLL CALL OF
COUNCILMEMBERS**

RANDY CORMAN, Council President Pro tem; DAN CLAWSON; KATHY KEOLKER-WHEELER; BOB EDWARDS; TIMOTHY SCHLITZER.

MOVED BY EDWARDS, SECONDED BY KEOLKER-WHEELER, COUNCIL EXCUSE ABSENT COUNCILMEMBERS KING PARKER AND TONI NELSON. CARRIED.

**CITY STAFF IN
ATTENDANCE**

JESSE TANNER, Mayor; JAY COVINGTON, Chief Administrative Officer; LARRY WARREN, City Attorney; MARILYN PETERSEN, City Clerk; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; SUSAN CARLSON, Economic Development, Neighborhoods & Strategic Planning Administrator; BETTY NOKES, Director of Economic Development; JIM SHEPHERD, Community Services Administrator; NEIL WATTS, Plan Review Supervisor; ABDOUL GAFOUR, Water Utility Supervisor; KAREN MARSHALL, Human Services Manager; DENNIS CONTE, Housing Assistance Specialist; DEREK TODD, Finance Analyst; COMMANDER FLOYD ELDRIDGE, Police Department.

PRESS

Denis Law, *Renton Reporter*
Claire Booth, *South County Journal*

**APPROVAL OF
COUNCIL MINUTES**

MOVED BY CORMAN, SECONDED BY EDWARDS, COUNCIL APPROVE THE MINUTES OF MARCH 8, 1999 AS PRESENTED. CARRIED.

PROCLAMATION

Absolutely Incredible Kid Day
– March 18, 1999

A proclamation by Mayor Tanner was read declaring March 18, 1999 to be “Absolutely Incredible Kid Day” in the City of Renton, and declaring the children of Renton to be absolutely incredible kids. MOVED BY CORMAN, SECONDED BY KEOLKER-WHEELER, COUNCIL CONCUR IN THE PROCLAMATION AS READ. CARRIED.

SPECIAL PRESENTATION
Human Services: First Savings
Bank Grant to Housing Repair
Program

Dennis Conte, Housing Assistance Specialist, reported that First Savings Bank of Renton has announced its intention to award the City a grant to be used for Renton’s Human Services Housing Repair Assistance Program. Saying that the bank made an earlier grant of \$25,000 to this program in 1997, Mr. Conte said many low-income Renton residents received both minor and emergency home repairs as a result of the previous grant. Services provided include exterior painting and replacement of water heaters and furnaces.

Harry Blencoe, Chairman of the Board and Chief Executive Officer of First Savings Bank of Renton, officially presented the City with another \$25,000 grant to be used by the housing repair program. Mayor Tanner then presented a plaque of appreciation to Mr. Blencoe on behalf of the City, saying that the bank’s generous donations to this program are an outstanding example of corporate citizenship.

APPEAL
Planning & Development

Planning & Development Committee Chair Keolker-Wheeler presented a report regarding the Pierre Grady Way rezone (SA-98-126). The Committee convened

Committee

Appeal: Pierre Grady Way
Rezone, SA-98-126

on March 11, 1999 to consider the appeal from the Hearing Examiner's report dated November 19, 1998. The subject property is located on the north side of SW Grady Way between Oakesdale Ave. SW and Powell Ave. SW. The applicant seeks a rezone from commercial office (CO) to medium industrial (IM). Additionally, the Hearing Examiner rendered a decision, in the event the rezone was permitted, relating to the site plan.

Rezone Recommendation:

On the appeal of the Hearing Examiner's recommendation regarding the rezone, the committee found that the Hearing Examiner did not give appropriate consideration to land use policies of the Comprehensive Plan and/or alternative mechanisms to accomplish the land use policies of the City.

The committee found that the Hearing Examiner did not consider how the proposed use of this parcel represents a "balance of uses" that would not only improve the City's economic and employment bases, but would increase the City's tax base and improve the efficiency in the use of this parcel. This is particularly so on this unusual site.

The committee found that the subject site has unique problems. These problems are due to the shape and size of this parcel, and to the power lines that run down the middle of the site.

The committee also found that the Hearing Examiner's report recommended denial of the rezone because, among other things, the proposed development could be abandoned at some point in time and, once rezoned, other less desirable uses for this location may be permitted. The committee found that there are mechanisms, such as a restrictive covenant or a development agreement, that will address this concern. Those alternatives were not explored by the Hearing Examiner.

Site Plan Decision:

On the appeal of the Hearing Examiner's decision regarding the site plan, the committee found the Hearing Examiner committed a substantial error of law insofar as he imposed a condition on the site plan that is duplicative of the City's inherent power. The imposition of a condition stating that the City has absolute discretion to modify driveway access to the site would render superfluous the City's inherent power to regulate the location of driveways. That is a substantial error. Therefore, this condition should be removed.

Requested Council Action

Rezone: The Committee recommended that Council approve the requested rezone from CO to IM, subject to three conditions:

Condition #1 – that the applicant sign a covenant restricting the use of this parcel to the development as proposed, including any future related expansion on the same site;

Condition #2 – that the restrictive covenant meets with the approval of the City Attorney; and

Condition #3 – that the applicant complies with all conditions imposed by the ERC.

Site Plan: The committee recommended that Council amend the decision of the Hearing Examiner regarding the site plan and strike condition #2 relating to the City's authority to modify driveway access to and from the site, as this is an inherent power of the City and not a special condition applicable only to this site.

MOVED BY KEOLKER-WHEELER, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

ADMINISTRATIVE REPORT

Chief Administrative Officer Jay Covington reviewed a written administrative report summarizing the City's recent progress towards goals and work programs adopted as part of its business plan for 1999 and beyond. Items noted included:

- ✧ The Public Works Department's Maintenance Services Division is working to incorporate such management techniques as outcome management, performance measuring, continuous improvement and performance budgeting.
- ✧ Renton's Planning/Building/Public Works Administrator Gregg Zimmerman is chairing the King County Public Works Directors Group, and consequently will be significantly involved in determining which transportation projects in King County are selected to receive federal funding in 2001 and 2002.
- ✧ The Seattle Symphony performed at a sold-out concert at Carco Theatre on March 10th as part of a fundraising event to benefit this year's summer teen musical.
- ✧ The Environmental Protection Agency has awarded \$200,000 to the City to be used for clean-up efforts at Port Quendall.

Legal: Gambling Legislation @ State Level

City Attorney Lawrence J. Warren reported on a meeting conducted last week with representatives from various cities and the Recreational Gaming Association concerning mini-casinos and cardrooms. Renton, among other cities, is concerned with a recent pronouncement by the State Gambling Commission relating to local zoning authority, and a preliminary concurring opinion issued by a member of the State Attorney General's Office last week.

The meeting focused on issues of concern to local jurisdictions, which include: that cities receive timely notice about any potential license and have the opportunity to give meaningful input into any licensing decision; that the Gambling Commission be clear on its ability to deny a license, with cause; that the State be prohibited from preempting local zoning authority for gambling uses; that local jurisdictions retain the right to declare moratoria on gambling uses to allow time to study zoning issues; that cities be allowed to amortize any existing uses that are not grandfathered under new regulations; and that cities retain their authorization to ban gambling uses outright.

Mr. Warren concluded that the Recreational Gaming Association is working to draft legislation on these issues in the hope that a proposal can be submitted to the Legislature this session, if at all possible.

CONSENT AGENDA

Items on the consent agenda are adopted by one motion which follows the listing.

Appointment: Human Rights & Affairs Commission

Mayor Tanner appointed Edythe Gandy, 3807 NE 8th Ct., Renton, 98056, to the Human Rights & Affairs Commission for a two-year term expiring 4/25/2001. Refer to Community Services Committee.

Planning: Zoning Code Amendments re: Employment Area Valley Land Use Classification

Economic Development, Neighborhoods & Strategic Planning Department recommended approval of amendments to the Light Industrial, Medium Industrial, Heavy Industrial, Commercial Office and Commercial Arterial zones within the new Employment Area Valley land use classification. Refer to Planning & Development Committee.

CAG: 98-108, Airport Seaplane Base Rehab Project, Reid Middleton	Transportation Systems Division recommended approval of Amendment No. 1 to CAG-98-108, contract with Reid Middleton for the Municipal Airport's seaplane base rehabilitation project, in the amount of \$78,800. Refer to <u>Transportation (Aviation) Committee</u> .
CAG: 98-067, Lind Ave SW & SW 27th St Traffic Installation Project, TransTech Electric	Transportation Systems Division submitted CAG-98-067, Lind Ave. SW and SW 27th St. traffic signal installation project; and recommended approval of the project, commencement of 60-day lien period, and release of retained amount of \$7,700.99 to TransTech Electric, Inc., contractor, if all required releases have been obtained. Council concur.
CAG: 94-015, Joint Reuse Project with King County/ Metro	Water Utility Division recommended terminating CAG-94-015, an agreement with King County Department of Metropolitan Services for a joint reuse demonstration project for Class A effluent since staff anticipates no near-term future customers for reuse water. Refer to <u>Utilities Committee</u> .
Public Works: Emergency Water Well EW-3 Corrosion Control, Economic & Engineering Services	Water Utility Division recommended approval of an agreement in the amount of \$98,336.69 with Economic and Engineering Services, Inc. to provide corrosion control, flouride and sewer design for emergency water well EW-3. Council concur.
	MOVED BY CORMAN, SECONDED BY KEOLKER-WHEELER, COUNCIL APPROVE THE CONSENT AGENDA WITH THE REMOVAL OF ITEM 9.g. FOR SEPARATE CONSIDERATION. CARRIED.
<u>Separate Consideration</u> <u>Item 9.g.</u> Public Works: Tony's Cleaners Equipment Removal Reimbursement (Aquifer Protection Area)	Water Utility Division requested authorization to make a partial payment of \$19,113.60 to Tony's Cleaners for removal of perchloroethylene and perc-contaminated dry-cleaning equipment out of Zone 1 of the City's Aquifer Protection Area. Gregg Zimmerman, Planning/Building/Public Works Administrator, explained that when the City decided to outlaw the use of perc in Zone 1 of the Aquifer Protection Area, it simultaneously authorized a reimbursement up to \$60,000 for any company forced to relocate because of the new restriction. MOVED BY CLAWSON, SECONDED BY SCHLITZER, COUNCIL APPROVE THE PARTIAL PAYMENT TO TONY'S CLEANERS AS RECOMMENDED. CARRIED.
CORRESPONDENCE Citizen Comment: Cascade Water Alliance – Encourage Renton's Participation	Correspondence was read from Gwenn Maxfield, Interim Director of the Cascade Water Alliance, PO Box 1923, Bothell, WA, 98041, inviting Renton to become a member and encouraging attendance at meetings of the Alliance for information about the group's activities. MOVED BY EDWARDS, SECONDED BY CLAWSON, COUNCIL REFER THIS LETTER TO THE <u>UTILITIES COMMITTEE</u> . CARRIED.
Citizen Comment: Levy (City of Everett) – Sales Tax Exemptions for Manufacturing Equipment	A memorandum was read from Doug Levy, Government Affairs Director for the City of Everett, describing pending State legislation which would expand sales tax exemptions on manufacturing machinery and equipment to "dual use" equipment which has both manufacturing and non-manufacturing purposes. Chief Administrative Officer Jay Covington explained that the potential impacts to Renton from such legislation could be significant, considering that both Boeing and PACCAR would be able to claim much greater exemptions than what is currently allowed. Everett, which is working with the Association of Washington Cities and the cities of Kent and Auburn to ensure that the State adopts a measurable standard and satisfactory threshold with respect to "dual use"

equipment, is seeking clarification of Renton's position on this issue.

MOVED BY EDWARDS, SECONDED BY KEOLKER-WHEELER, COUNCIL DIRECT THE ADMINISTRATION TO COORDINATE WITH THE CITIES OF EVERETT, KENT AND AUBURN TO PREPARE A JOINT LETTER TO THE STATE LEGISLATURE OPPOSING THIS PROPOSED LEGISLATION. CARRIED.

OLD BUSINESS

Committee of the Whole

EDNSP: Convention Center
Feasibility Work

Council President Pro tem Corman presented a report authorizing the Administration to work with the Hotel/Motel Advisory Task Force and private property owners to do the following:

1. Identify potential sites for a Renton conference center that could include a stand-alone location and/or locations attached to a hotel, either existing or new;
2. Develop a scope of work for Phase II of this plan; and
3. Develop a budget to address the scope of work.

Staff will bring back proposals to the Council for review and consideration.

MOVED BY CORMAN, SECONDED BY EDWARDS, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Utilities Committee

Solid Waste: 1999 Business
Recycling Program & Special
Recycling Event, King County

Utilities Committee Chair Clawson presented a report recommending concurrence in the Planning/Building/Public Works Department's recommendation that Council approve an interlocal agreement with King County called the "City Optional Program Interlocal Agreement" which authorizes Renton to receive \$31,560 from King County to continue the Business Recycling Program and the Special Recycling Event for 1999. The Committee further recommended that the resolution regarding this matter be presented for reading and adoption. MOVED BY CLAWSON, SECONDED BY KEOLKER-WHEELER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 93 for resolution.)

Solid Waste: Waste Reduction
Education Program, Grant
from DOE

Utilities Committee Chair Clawson presented a report recommending concurrence in the Planning/Building/Public Works Department's recommendation that Council approve the 1998-1999 Coordinated Prevention Grant agreement which provides \$61,953 from the Washington State Department of Ecology, and commits Renton to provide \$41,302 in matching funds which are included in the 1999 Budget. These grant funds will be used to implement solid and hazardous waste reduction education programs, and organics composting programs meeting the requirements and goals of both the King County Comprehensive Solid Waste Management Plan and the Local Hazardous Waste Management Plan. The Committee further recommended that the resolution regarding this matter be presented for reading and adoption. MOVED BY CLAWSON, SECONDED BY KEOLKER-WHEELER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 93 for resolution.)

Solid Waste: Local Hazardous
Waste Mgmt Plan, Seattle-
King County

Utilities Committee Chair Clawson presented a report recommending concurrence in the Planning/Building/Public Works Department's recommendation that Council approve the Memorandum of Understanding with the Seattle-King County Department of Public Health which authorizes the City's Solid Waste Utility to receive \$25,808 from the Local Hazardous Waste Management Plan in Seattle-King County. These funds will be used to implement collection of used oil, antifreeze, oil filters, and lead-acid batteries at the City's two Special Recycling Events. In addition, these funds will be used to implement household hazardous waste education projects including school

workshops and Renton River Days outreach. The Committee further recommended that the resolution regarding this matter be presented for reading and adoption. **MOVED BY CLAWSON, SECONDED BY KEOLKER-WHEELER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.** (See page 94 for resolution.)

Finance Committee

Finance: Y2K Compliant
Utility Billing Software &
Meter Reading System

Finance Committee Chair Edwards presented a report regarding the purchase of utility billing software and meter reading equipment. The Committee reviewed the issue memorandum dated February 1, 1999, regarding the utility billing software contract with Springbrook Software Co. and the purchase of Sensus meter reading equipment and software. The Committee recommended that Council authorize the Mayor and City Clerk to execute a contract with Springbrook Software to purchase utility billing software and implementation and training services. The Committee further recommended the purchase of Sensus meter reading equipment and software. The cost of the combined purchase is \$225,000, including sales tax. **MOVED BY EDWARDS, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.**

EDNSP: Shuffleton Site
Redevelopment Studies &
Planned Action

Finance Committee Chair Edwards presented a report regarding the Southport Planned Action/Environmental Impact Statement (EIS) contracts. The Committee reviewed proposed contracts between the City and Seco Development to fund the environmental review required for the Southport Development, as well as consultant contracts between the City and Entranco, Inc. and Huckell/Weinman Associates Inc. providing transportation and environmental review services, respectively. The Committee recommended that Council authorize the Mayor and City Clerk to execute the contracts in the following order:

1. Agreement with Seco Development, Inc. to fund the environmental review needed;
2. Agreement with Entranco, Inc. to prepare the initial transportation and access analysis; and
3. Agreement with Huckell/Weinman Associates, Inc. to prepare the Southport Planned Action/Supplemental EIS.

MOVED BY EDWARDS, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

HR&RM: Fleet Mgmt Tech
Hiring @ Step D

Finance Committee Chair Edwards presented a report recommending concurrence with the staff recommendation to correct the oversight in the hiring process of the Fleet Management Technician. This authorizes the hiring of this person at Step D of the salary range, retroactive to February 5, 1999. **MOVED BY EDWARDS, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.**

Finance: Vouchers

Finance Committee Chair Edwards presented a report recommending approval of Claim Vouchers 168507 - 169005 and three wire transfers in the total amount of \$2,511,863.17. **MOVED BY EDWARDS, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.**

ORDINANCES AND RESOLUTIONS

The following resolutions were presented for reading and adoption:

Resolution #3381

Solid Waste: 1999 Business Recycling Program & Special Recycling Event, King County

A resolution was read authorizing the Mayor and City Clerk to enter into an interlocal agreement with King County regarding county funding for the City of Renton's 1999 Business Recycling Program and Special Recycling Event. MOVED BY CLAWSON, SECONDED BY KEOLKER-WHEELER, COUNCIL ADOPT THE RESOLUTION AS PRESENTED. CARRIED.

Resolution #3382

Solid Waste: Waste Reduction Education, DOE Grant

A resolution was read authorizing the Mayor and City Clerk to enter into an interlocal agreement with the State of Washington's Department of Ecology entitled "Coordinated Prevention Grant Agreement." MOVED BY CLAWSON, SECONDED BY KEOLKER-WHEELER, COUNCIL ADOPT THE RESOLUTION AS PRESENTED. CARRIED.

Resolution #3383

Solid Waste: Local Hazardous Waste Mgmt Plan, Seattle-King County

A resolution was read authorizing the Mayor and City Clerk to enter into an interlocal cooperative agreement with the Seattle-King County Department of Public Health entitled "Memorandum of Understanding on the Local Hazardous Waste Management Program for 1999 Activities." MOVED BY CLAWSON, SECONDED BY KEOLKER-WHEELER, COUNCIL ADOPT THE RESOLUTION AS PRESENTED. CARRIED.

The following ordinances were presented for first reading and referred to the Council meeting of 3/22/99 for second and final reading:

Planning: R-10 and R-14 Zone Changes

An ordinance was read amending Title IV (Development Regulations) of City Code by amending the Residential – 10 dwelling units per acre (R-10) and the R – 14 dwelling units per acre (R-14) Zones. MOVED BY KEOLKER-WHEELER, SECONDED BY CLAWSON, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 3/22/99. CARRIED.

Local Improvement District: No. 336, Burlington Northern RR Crossing at 3700 Lake Wash. Blvd N

An ordinance was read ordering that assessments be made against property included within Local Improvement District No. 336 for improvements constructed at the 3700 block of Lake Washington Blvd., and providing assessments upon property in LID No. 336. MOVED BY CORMAN, SECONDED BY EDWARDS, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 3/22/99. CARRIED.

The following ordinances were presented for second and final reading:

Ordinance #4770

Budget: 1999 Adjustments

An ordinance was read appropriating funds from fund balance, increasing the expenditures in various funds and departments, and increasing the 1999 Budget by \$4,302,030 to a total adjusted amount of \$134,967,406. MOVED BY EDWARDS, SECONDED BY CLAWSON, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

Ordinance #4771

Vacation: Olympia Ave NE (NE 33rd to 21st), Lakeridge Development, VAC-98-001

An ordinance was read vacating a portion of Olympia Ave. NE from NE 33rd St. north of NE 21st St. for Lakeridge Development, Inc. (VAC-98-001). MOVED BY CORMAN, SECONDED BY CLAWSON, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

ADJOURNMENT

MOVED BY KEOLKER-WHEELER, SECONDED BY EDWARDS, COUNCIL ADJOURN. CARRIED. Time: 8:20 p.m.

Recorder: Brenda Fritsvold
March 15, 1999